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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/630,810	07/31/2003	Hisashi Takasu	01-452	9793
23400	7590	11/29/2004	EXAMINER	
POSZ & BETHARDS, PLC 11250 ROGER BACON DRIVE SUITE 10 RESTON, VA 20190			MIS, DAVID C	
			ART UNIT	PAPER NUMBER
			2817	

DATE MAILED: 11/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 10/630,810	Applicant(s) TAKASU ET AL.	
	Examiner David Mis	Art Unit 2817	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,6,7,22,23,25 and 30 is/are rejected.
- 7) ☒ Claim(s) 3,4,8-21,24,26-29,31 and 32 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|-------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>0731</u> . | 6) <input type="checkbox"/> Other: _____ |

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1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

2. The incorporation of essential material in the specification by reference to a foreign application or patent, or to a publication is improper. Applicant is required to amend the disclosure to include the material incorporated by reference. The amendment must be accompanied by an affidavit or declaration executed by the applicant, or a practitioner representing the applicant, stating that the amendatory material consists of the same material incorporated by reference in the referencing application. See *In re Hawkins*, 486 F.2d 569, 179 USPQ 157 (CCPA 1973); *In re Hawkins*, 486 F.2d 579, 179 USPQ 163 (CCPA 1973); and *In re Hawkins*, 486 F.2d 577, 179 USPQ 167 (CCPA 1973).

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 2, 6, 7, 22, 23 and 30 are rejected under 35

U.S.C. 102(b.) as being clearly anticipated by Abe et al.

Abe et al disclosed a demodulation method for demodulating an FSK-modulated digital signal (Abstract: ... converts it into an FSK signal 33 with a low frequency band again, and demodulates it ...) comprising: counting the number of waves of the FSK-modulated digital signal (Abstract: ... The number of waves of the low frequency band FSK signal 133 is counted ...) in every certain time period (Abstract: ... in a time sufficiently long to a bit length ...); and judging a digital signal based on the number of waves (Abstract: ... and compared with an ideal value ...); wherein there are 2 raises to the zero power kinds of start timings; wherein the counter's capacity is sufficient to distinguish a difference between a maximum value and a minimum value counted in the counting period (It counts to the minimum and maximum values, and the two counts are inherently distinguishable from each other).

5. Claims 1, 2, 6, 7, 22, 23, 25 and 30 are rejected under 35

U.S.C. 102(b.) as being clearly anticipated by Ichikawa.

Ichikawa disclosed a demodulation method for demodulating an FSK-modulated digital signal (DERWENT Abstract: title), comprising: counting the number of waves of the FSK-modulated digital signal (DERWENT Abstract: ... The demodulator uses a waveform shaping circuit to shape FSK modulate signal into square wave pulse and the same is applied to input end of a counter ...) in every certain time period (DERWENT Abstract: ... This counter is reset periodically, by a reset pulse of constant cycle characteristic ...) ; and judging a digital signal based on the number of waves (DERWENT Abstract: ... The output of the counter is fed to a comparator (5) where it is compared against a predetermined reference ...); wherein the certain time period is a bit-corresponding period corresponding to each bit of the FSK-modulated digital signal (Fig. 2); wherein there are 2 raises to the zero power kinds of start timings; wherein ... judgment means produces the digital signal by comparing the number with a threshold value that is a number of waves corresponding to the center frequency of the FSK-modulated modulated signal (JPO Abstract: ... level of a reference digital signal is set between ...); wherein the counter's capacity is sufficient to distinguish a difference between a maximum value and a minimum value counted in the counting period (It counts to the

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minimum and maximum values, and the two counts are inherently distinguishable from each other).

6. Claims 3-5, 8-21, 24, 26-29 and 31-32 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Mis whose telephone number is (571)272-1765. The examiner can normally be reached on Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pascal can be reached on (571)272-1769. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



David Mis
Primary Examiner
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